

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

NATHAN GILLIS,

Plaintiff,

Case No. 02-C-463

JON E. LITSCHER, GERALD A. BERGE,
BRADLEY HOMPE, KELLY COON,
TAYLER HAGAN, NANCY WILMONT,
and JOHN SHARPE,

Defendants.

ORDER

On March 31, 2005, the court issued an order granting in part and denying in part defendants Litscher, Berge, Hompe, Sharpe, Hagan, Coon, and Wilmont's motion for summary judgment. (The court also granted former defendants Bartels, Watters, and Maier's motion for summary judgment, denied the plaintiff's motion for summary judgment, and denied the plaintiff's motion for default judgment.) The claims remaining in this case are an Eighth Amendment claim regarding the conditions of confinement of the BMP/clinical observation, a claim that the plaintiff was subjected to those conditions without due process of law, and an unaddressed retaliation claim against defendant Hagan.

A telephone scheduling conference has been set for May 26, 2005, at 10:00 a.m. The court finds that fundamental due process may be denied the plaintiff if an attorney is not asked to represent the plaintiff in this action. Therefore, counsel will be appointed to represent the plaintiff in this action. The court is advised that Attorneys Pamela R. McGillivray and Christa O. Westerberg of the law firm of Garvey & Stoddard, S.C., are willing to accept this appointment.

ORDER

THEREFORE, IT IS ORDERED that Attorneys Pamela R. McGillivray and Christa O. Westerberg are appointed to represent the plaintiff in this action. The clerk is instructed to include Attorneys McGillivray and Westerberg in the telephone status conference scheduled for May 26, 2005, at 10:00 A.M.

Dated this 20th day of May, 2005.

s/ William C. Griesbach
William C. Griesbach
United States District Judge